IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 26th day of September, 2006
Crl. Bail Application No. 793 of 2006

Order on the Bail Application:
CRIMINAL SIDE

Ishahaq S/o Ali Hasan
R/o Village Teliwala,
P.S. Gang Nahar, District Haridwar. ..... Applicant

Versus

State of Uttaranchal ..... Opposite Party

Arising out of Crime No. 109 of 2006
Under Sections: 376, 504, 506 I.P.C.
Police Station: Gangnahar
District: Haridwar.

Hon'ble Prafulla C. Pant, J.

Heard Mr. H.C. Pathak and Mr. Nandan Arya, learned A.G.A.

Applicant Ishahaq, who is in jail in connection with crime No. 109 of 2006, relating to offences punishable under Section 376, 504, 506 of I.P.C., P.S. Gangnahar, District Haridwar, has sought his release on bail.

First Information Report appears to be delayed by more that ten days. From the record, it appears that there is already litigation going on before the date of incident, between the complainant and her husband (one of the co-accused).

Learned counsel for the applicant argues that the complainant has falsely implicated her husband as well as this applicant, who is a friend of husband of the complainant.

Without expressing any opinion as to the final merits of the case, in the above facts and circumstances, in the opinion of this Court, it is a fit case for bail.

Let the applicant Ishahaq be released on bail on his executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Magistrate concerned.

(**Prafulla C. Pant, J.)**

Dt. 26.09.2006
H. Negi